Supreme Court, U. S.
FILED
MAR [illegible] 198
MICHAEL RODAK, JR., CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

October Term, 1979

No. 79-1464

SAMMY LEON WILLIS,
Petitioner,

v.

COMMONWEALTH OF VIRGINIA,
Respondent.

APPENDIX TO PETITION FOR WRIT OF CERTIORARI TO THE SUPREME COURT OF VIRGINIA

Thomas W. Moss, Jr.
Moss, Moss, & Sizemore
1505 First Virginia Bank Tower
Norfolk, Virginia 23510
Counsel for Petitioner

March 3, 1980

VIRGINIA:

In the Circuit Court of the City of Norfolk, on the 11th day of October, in the year 1978

COMMONWEALTH vs. SAMMY LEON WILLIS

Attorney for the Commonwealth: Lawrence C. Lawless

Attorney for the defendant: Thomas W. Moss, Jr. et al

( ) Heretofore appointed by the Court

(X) Of defendant's own choosing

FELONY SENTENCING ORDER

This day again came the Attorney for the Commonwealth and the attorney for the defendant, as aforesaid, and came as well the defendant in person, who stands convicted of Possession of Marijuana with Intent to Distribute.

Thereupon the Probation Officer of this Court, to whom this case has been previously referred for investigation, appeared in open court with a written report, a copy of which has been delivered to counsel for the defendant. Whereupon the defendant and his counsel were given the right to cross-examine the Probation Officer as to any matter contained in the said report and to present any additional facts bearing upon the matter as they desired to present. The report of the Probation Officer is hereby filed as a part of the record in this case. Whereupon it being demanded of the defendant if anything he had to say for himself why the Court should not here and now proceed to pronounce judgment against him according to law, and nothing being offered or alleged in delay of judgment; and the Court having taken into consideration all of the evidence in the case, the report of the Probation Officer, and such additional facts as were presented by the defendant; it is accordingly the judgment of this Court that the defen-

dant be and he is hereby sentenced to confinement in the Penitentiary of this Commonwealth for the term of Ten Years and fined in the sum of $5,000.00 for Possession of Marijuana with Intent to Distribute as charged in indictment #1, subject to credit for time spent in jail awaiting trial, and that he be required to pay the costs of his prosecution.

It is ordered that the transcript of testimony, when prepared, be made a part of the record in this case. Thereupon the defendant, by counsel, moved the Court for time in which to apply for a writ of error to the foregoing judgment, which motion being fully heard and determined by the court, is sustained, and the execution of the foregoing judgment is hereby postponed for the period of Thirty Days or until the Supreme Court of Virginia shall deny said writ if prior thereto. The Court certifies that at all times during the trial of this case the defendant was personally present and his attorneys were likewise personally present and capably represented the defendant. Thereupon on further motion of the defendant by counsel, bail bond remains as fixed in the amount of Ten Thousand Dollars ($10,000.00) cash deposit with the Court.

And the defendant was allowed to depart pursuant to the terms of his recognizance.

(Court Reporter Sharon Borden)

John W. Winston, Judge

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Monday the 3rd day of December, 1979.

Sammy Leon Willis,

Appellant,

against Record No. 790692
Circuit Court No. F1157-78

Commonwealth of Virginia,

Appellee.

From the Circuit Court of the City of Norfolk.

Finding no reversible error in the judgment complained of, the court refuses the petition for appeal filed in the above-styled case.